

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. JUL 19 1995

Returned to applicant for correction. JUL 19 1995

Corrected application filed. 1-6-81 under 42931 Map filed.

The applicant Baroid Drilling Fluids, Inc.

Box 340 of Battle Mountain
Street and No. or P.O. Box No. City or Town

Nevada 89820 hereby makes application for permission to change the
State and Zip Code No.

Manner of Use and point of diversion of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit #42934
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.78 c.f.s. (350 g.p.m.), not to exceed 565 acre-
feet per year
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for same as existing mining, milling, dom, dewater
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining and milling, and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the SE1SW1 Sec. 22, T. 37 N.,
Describe as being within a 40-acre subdivision of public survey and by course and

R. 49 E., MDM, from which the NE corner of said section 22 bears N. 34°26'
distance to a section corner. If on unsurveyed land, it should be stated.

E., 5,395 ft. dist. the NE1SE1 Sec. 15, T. 37 N.,

6. The existing permitted point of diversion is located within E., 2,031 ft. dist.
If point of diversion is not changed, do not answer.

R. 49 E., MDM, from which the SE corner of said section 15 bears S. 37°33'
E., 2,031 ft. dist.

Same as existing

7. Proposed place of use. Same as existing
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use T. 37 N., R. 49 E., MDM: all of Sections 15, 22, 26, 27,
34, 35 and the E1 Sec. 21
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled & cased well, with gravel packing,
submersible pump and motor, storage tanks or reservoir, and pipeline distribution
State manner in which water is to be diverted, i.e. diversion structure.

network:
ditches, pipes and flumes, or drilled well, etc. estimate \$65,000.00

12. Estimated cost of works.

13. Estimated time required to construct works. one year

14. Estimated time required to complete the application of water to beneficial use..... five years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The site of the present base right (#42934) is being mined out; this change application is submitted to allow construction of a replacement well at a more convenient location; a small amount of duty of the base permit will be left at the original site, for the pumping of the inflow from surrounding shallow aquifers as the pit is enlarged.. No discharge of dewater, consumed by operation.

By s/William A. Nisbet
421 Court Street
Elko, Nevada 89801

Compared jr/bk jr/bk

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 42934 is issued subject to the terms and conditions imposed in said Permit 42934 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 42931, 42932, 42934 and 61411-T shall not exceed 1000.0 acre-feet annually.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.78 cubic feet per second but not to exceed 565.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 14th day of August,

A.D. 1995

R. Michael Turnipseed, P.E.
State Engineer

EXPIRED

DATE 8-13-96 JK

(PERMIT TERMS CONTINUED)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on August 13, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.